

MESSAGE NO: 7039201 MESSAGE DATE: 02/08/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4344204
MESSAGE #
(s):

CASE #(s): A-549-821

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/26/2004 TO 07/31/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTION FOR POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND PRODUCED AND/OR EXPORTED BY KING PAC INDUSTRIAL CO.,LTD. (A-549-821-005)

MESSAGE NO: 7039201

DATE: 02 08 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4344204

REFERENCE DATE: 12 09 2004

CASES: A - 549 - 821

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PERIOD COVERED: 01 26 2004 TO 07 31 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTION FOR POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND PRODUCED AND/OR EXPORTED BY KING PAC INDUSTRIAL CO.,LTD. (A-549-821-005)

1. FOR ALL SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS (PRCBS) FROM THAILAND PRODUCED AND/OR EXPORTED BY KING PAC INDUSTRIAL CO., LTD., DPAC INDUSTRIAL CO., LTD. (FORMERLY KNOWN AS SIAM ZIP), ZIPPAC CO., LTD, ZIP-PAC CO., LTD., ZIP PAC CO., LTD., KING BAG CO., LTD., AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 01/26/2004 THROUGH 07/31/2005, ASSESS ANTIDUMPING LIABILITIES EQUAL TO 122.88 PERCENT OF THE ENTERED VALUE, AS APPROPRIATE, EXCEPT IF PARAGRAPH 2 IS

APPLICABLE. ENTRIES MAY HAVE BEEN MADE UNDER A-549-821-005, A-549-821-000, OR OTHER CASE NUMBERS.

PRODUCER AND/OR EXPORTER	PERCENT
KING PAC INDUSTRIAL CO., LTD.	122.88
KING PAK INDUSTRIAL CO., LTD.	122.88
DPAC INDUSTRIAL CO., LTD. (FORMERLY KNOWN AS SIAM ZIP)	122.88
ZIPPAC CO., LTD.	122.88
ZIP-PAC CO., LTD.	122.88
ZIP PAC CO., LTD.	122.88
KING BAG CO., LTD.	122.88

2. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF MERCHANDISE DESCRIBED IN PARAGRAPH 1 THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 01/26/2004 THROUGH 07/23/2004, ASSESS ANTIDUMPING LIABILITIES EQUAL TO THE AMOUNT RESULTING FROM APPLICATION OF PARAGRAPH 1 OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

3. CONTINUE TO LIQUIDATE ENTRIES COVERED BY PARAGRAPH 2 OF MESSAGE NUMBER 4344204 DATED 12/09/2004 WITHOUT REGARD TO ANTIDUMPING DUTIES.

4. WITH THE EXCEPTION OF ENTRIES COVERED BY PARAGRAPH 3, NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 01/26/2004 THROUGH 07/31/2005 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (72 FR 1982 (01/17/2007)). FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS

INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH IS AUGUST 9, 2004. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. IMPORTERS WERE NOTIFIED OF THIS REQUIREMENT WHEN THE NOTICES OF PRELIMINARY AND FINAL RESULTS OF THE ADMINISTRATIVE REVIEW WERE PUBLISHED IN THE FEDERAL REGISTER. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:CC).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party